

**United States District Court
For The
District of North Dakota**

Petition for Action on Conditions of Pretrial Release

United States of America)	
)	
vs.)	Docket No.: 0868 1:20CR00068-28
)	
Mia Teanna Gutierrez)	

COMES NOW, Bobby Wiseman, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Mia Teanna Gutierrez who was placed under pretrial release supervision by the Honorable Clare R. Hochhalter, Magistrate Judge, sitting in the Court at, on September 23, 2020, under the following conditions:

1. The defendant must not violate federal, state, tribal, or local law while on release.
2. The defendant must advise the Office of Probation and Pretrial Services and defense counsel in writing before making any change in address or telephone number.
3. Defendant shall refrain from the use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection progress or specimen may be considered the same as a positive test.
4. Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
5. Defendant shall reside continue at Prairie Recovery Center until September 23, 2020. While at the Prairie Recovery Center, she shall, fully participate in its programming and comply with all of its rules and regulations. On September 23, 2020, defendant shall reside at Hope Manor, participate in its programming, and abide its rules and regulations.
6. Defendant shall sign all releases of information requested by the Pretrial Services Officer so that her progress and participation in treatment may be monitored.
7. Defendant shall not possess a firearm, destructive device or other dangerous weapon.
8. Defendant shall not knowingly or intentionally have any directed or indirect contact with co-defendants except that counsel for the defendant, or counsel's agent or authorized

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representative, may have such contact with such person(s) as is necessary in the furtherance of the defendant's legal defense.

9. Defendant shall submit her person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 18, 2020, Hope Manor advised they were terminating the defendant's placement in their program due to the defendant's failure to abide by the rules and regulations. This is believed to be in violation of condition #5, as listed above.

PRAYING THAT THE COURT WILL ORDER: A warrant be issued for the arrest of Mia Teanna Gutierrez and hearings be held to determine if she violated the conditions of her pretrial release.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully,

/s/Bobby Wiseman 11/19/2020
U.S. Pretrial Services Officer
Place:

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ORDER OF THE COURT

Considered and ordered this 19th day of, November, 2020 and ordered filed and made a part of the record in the above case.

- ☒ Warrant to be issued
- ☐ Summons to be issued
- ☐ Notice of hearing to be filed
- ☐ Modification of the defendant's conditions of release
- ☐ Other



Clare R. Hochhalter
U.S. Magistrate Judge